

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

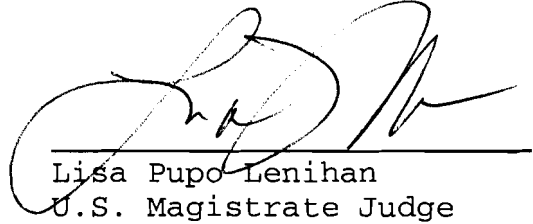
ROBERT STRATTON,)	
)	Civil Action No. 05 - 1601
)	
Plaintiff)	Judge Donetta W. Ambrose/
)	Magistrate Judge Lisa
vs.)	Pupo Lenihan
)	
CO III Lt. J.A. TONY et al.,)	
)	Doc. No. 46
Defendants)	
)	

ORDER

Plaintiff filed what he has called a "Motion to Indicate and Affirm Error Caused by US Clerk" (Doc. No. 46. This filing requests that the Court enter an order on January 3, 2007 that purported to enclose a copy of Plaintiff's Amended Complaint. He states that he did not receive this Amended Complaint and requests that he be provided another copy. Although the clerk recalls enclosing this copy, we do not wish to engage in a credibility determination regarding this minor matter. Therefore, a copy of Plaintiff's Amended Complaint is enclosed herewith and Plaintiff's Motion is **DENIED** as moot.

IT IS FURTHER ORDERED that Plaintiff is allowed ten (10) days from this date to appeal this order to a district judge pursuant to Rule 72.1.3(B) of the Local Rules for Magistrate Judges. Failure to appeal within ten (10) days may constitute

waiver of the right to appeal.



Lisa Pupo Lenihan
U.S. Magistrate Judge

cc: Robert T. Stratton
DA-2917
SCI Greene
175 Progress Drive
Waynesburg, PA 1537